

THOMAS W. PHELPS.

[To accompany Bill H. R. No. 558.]

APRIL 2, 1860.

Mr. FENTON, from the Committee on Invalid Pensions, made the following

REPORT.

From the petition and evidence in this case it appears that petitioner entered on board of the United States brig Somers in May, 1842, as boatswain's mate, and in the month of August thereafter was promoted to gunner's mate. That during his service on board of said vessel, and while in the line of his duty, from sudden colds and other causes, he contracted a disease in his eyes, which eventually produced total blindness. That he was sent to the Naval Hospital in New York from the brig Somers on the 2d day of September, 1842, and remained therein until the 8th day of June, 1843, when he was discharged from the naval service as an invalid. He produces the following original certificate: "Thomas W. Phelps, gunner's mate, was admitted into this hospital September 2, 1842, from the brig Somers, with ophthalmia, and was discharged from the service June 8, 1843. The above is the only account of his case to be found on the records of this hospital. New York, December 14, 1853.

CHAS. CHASE, *Surgeon.*"

The following is a copy of the medical survey and order for the discharge of said Phelps:

UNITED STATES HOSPITAL,
Brooklyn, May 26, 1843.

The following named men, patients in this hospital, are, in my opinion, unfit for the service, and are desirous of being discharged from it. I respectfully request that a survey may be holden upon them. 1st. Thomas W. Phelps, admitted September 2, 1842, from brig Somers for ophthalmia.

I am, sir, very respectfully, your obedient servant,

B. TICKNOR, *Surgeon.*

Com. J. R. SANDS,
Commanding Navy Yard, Brooklyn.

COMMANDANT'S OFFICE, NAVY YARD,
Brooklyn, May 27, 1843.

GENTLEMEN: Be pleased to examine the above-mentioned men, and report to me their condition and fitness for service, &c.

I am, gentlemen, respectfully,

JOHN R. SANDS,
Commander United States Navy.

Surgeons JOHN S. WILEY and JOHN HASLETT,
United States Navy.

UNITED STATES HOSPITAL,
Brooklyn, June 1, 1843.

SIR: In obedience to the foregoing order, we have held a careful survey on the men named in it, and report that Thomas W. Phelps, gunner's mate, Veve Price, landsman, &c., &c., are all, in our opinion, unfit for the naval service, and recommend that they be discharged from it. We are, sir, very respectfully, your obedient servants,

JOHN P. WILEY,
 JOHN HASLETT,
Surgeons.

Com. JOHN R. SANDS,
Commander Navy Yard, Brooklyn.

NAVY DEPARTMENT, *June 3, 1843.*

Commander Navy Yard, New York:

SIR: You are authorized to discharge Thomas W. Phelps, Veve Price, Wm. Chappel, John Warrel, Emery Saddler, Michael H. Cutts, Isaac Sherman, Michael Oxford, and John F. Ehler, all reported unfit for the service in the communication forwarded by you on 1st inst.

I am, respectfully, yours,

A. THOMAS SMITH,
Acting Secretary.

Mrs. Catharine Follet, of Troy, New York, mother of petitioner, states on oath that he was in good health when he entered the naval service, and never had any disease of his eyes; and that when he returned home, after his discharge, he stated that his blindness came upon him while in the service on the Somers, and that it was occasioned by a cold which he took on that vessel; and deponent verily believes he was so injured, &c.

Asa Gardner, of New York city, (merchant,) in his affidavit, August 21, 1855, says he "was well acquainted with petitioner for three or four years before he entered as gunner's mate on board the brig Somers, in 1842." That the eyesight and general health of said Phelps was always excellent before that time; and, to deponent's knowledge, he was during that time in the United States naval service; deponent saw him after he was discharged from the brig Somers in the year 1843, at the Naval or Marine Hospital in Brooklyn, where he was then being treated for inflammation of his eyes. That said Phelps, after being in said hospital for a considerable period, was dis-

charged at his request, and came to deponent's house; and deponent was in the habit of seeing him almost daily, after that period, for some months; and said Phelps was still suffering from said disease of the eyes, which continued to grow upon him, and has now resulted in his total blindness. That said Phelps is without means of living, and is unable to procure a livelihood from manual labor.

Charles A. Wilson, of the city of New York, in his affidavit of the 21st of August, 1855, states that he has been for some time acquainted with Thomas W. Phelps, who is applying for a pension, and knew him first on board of the brig Somers, in the year 1842, the said Phelps being then gunner's mate on said vessel, and deponent sail-maker's mate on board of said vessel. That he was at first in good health, and his eyesight not at all impaired, but some months afterwards the said Phelps complained of an inflammation of his eyes, occasioned, as deponent was informed and believes, in the first instance, by an injury on his head while on board of said vessel. Deponent further says, to his knowledge, the said Phelps was sent from said vessel to the Marine Hospital, at Brooklyn, on account of said injury to his eyes. Deponent further says that he saw the said Phelps last, about four weeks since, at No. 1, Rutger's Place, New York, and he was at that time totally blind; and further says that he well knows, from his own observation, that such disease of the eyes was contracted by said Phelps on said government vessel while in discharge of his duties, and he has been informed by said Phelps, and others, that such disease has resulted in total blindness as aforesaid.

All the witnesses are certified as credible, and the main facts in the case are sworn to by the petitioner. In his petition of February, 1852, it is stated that while petitioner was in the service he contracted a disease which finally resulted in entire loss of his sight, and that he had then been blind for more than eight years. The petition is signed by Thomas W. Phelps; also by J. W. Ayer, alderman 8th ward, Troy, New York; G. Robertson, jr., recorder; Charles Parmalee, county judge; F. T. Blinn, surrogate; T. Romeyn, J. Pierson, and A. B. Olin, the latter a member of this House. The claim of petitioner was rejected at the Pension office on the ground of insufficient evidence, but represented by the Commissioner as "a fair claim for the consideration of Congress." The committee deem the evidence adduced satisfactory, and think the petitioner was entitled to and should have received a surgeon's certificate for a pension when he was discharged from the naval service. It appears that he has been totally disabled from labor ever since that period, and that he is very poor and destitute. The committee, therefore, report a bill allowing him a pension of \$9 50 per month, from the date of his disability and discharge, for and during his natural life, and recommend its passage.

